

PROPOSED AMENDMENT
SENATE AMENDMENTS TO H.B. 2250
(Reference to House engrossed bill)

Page 1, between lines 1 and 2, insert:

"Section 1. Section 28-2351, Arizona Revised Statutes, is amended to read:

28-2351. License plate provided; design

A. The department shall provide to every owner one license plate for each vehicle registered. At the request of the owner and on payment of any required fee, the department shall provide either one or two license plates for a vehicle for which a special plate is requested pursuant to this chapter, except that the department shall provide one license plate if the special plate is issued pursuant to section 28-2404, 28-2409 or 28-2416.

B. The license plate shall display the number assigned to the vehicle and to the owner of the vehicle and the name of this state, which may be abbreviated. The director shall coat the license plate with a reflective material that is consistent with the determination of the license plate commission established by section 28-2405 regarding the color and design of license plates and special plates as prescribed by section 28-2405. The director shall design the license plate and the letters and numerals on the license plate to be of sufficient size to be plainly readable during daylight from a distance of one hundred feet. In addition to the standard license plate issued for a trailer before August 12, 2005, the director shall issue a license plate for trailers that has a design that is similar to the standard size license plate for trailers but that is the same size as the license plate for motorcycles. The trailer owner shall notify the department which size license plate the owner wants for the trailer.

C. Notwithstanding any other law, the department shall not contract with a nongovernmental entity to purchase or secure reflective material for the plates issued by the department unless the department has made a reasonable effort to secure qualified bids or proposals from as many individual responsible respondents as possible.

1 D. The license plate commission established by section 28-2405 shall
2 determine the color and design of the license plate. All other plates issued
3 by the department, except the plates issued pursuant to sections 28-2412,
4 28-2413, 28-2414, 28-2416 through ~~28-2428~~ 28-2429, 28-2452, 28-2453, 28-2454
5 and 28-2455 and article 14 of this chapter, shall be the same color as and
6 similar in design to the license plate as determined by the commission.

7 E. A passenger motor vehicle rented without a driver shall receive the
8 same type of license plate as issued for a private passenger motor vehicle.

9 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to read:

10 28-2403. Special plates; transfers; violation; classification

11 A. Except as otherwise provided in this article, the department shall
12 issue or renew special plates in lieu of the regular license plates pursuant
13 to the following conditions and procedures and only if the requirements
14 prescribed by this article for the requested special plates are met:

15 1. Except as provided in section 28-2416, a person who is the
16 registered owner of a vehicle registered with the department or who applies
17 for an original or renewal registration of a vehicle may submit to the
18 department a completed application form as prescribed by the department with
19 the fee prescribed by section 28-2402 for special plates in addition to the
20 registration fee prescribed by section 28-2003.

21 2. Except for plates issued pursuant to sections 28-2412, 28-2413,
22 28-2414, 28-2416 through ~~28-2428~~ 28-2429, 28-2452, 28-2453, 28-2454 and
23 28-2455 and article 14 of this chapter, the special plates shall be the same
24 color as and similar to the design of the regular license plates that is
25 determined by the license plate commission pursuant to section 28-2351.

26 3. Except as provided in section 28-2416, the department shall issue
27 special plates only to the owner or lessee of a vehicle that is currently
28 registered, including any vehicle that has a declared gross weight, as
29 defined in section 28-5431, of twenty-six thousand pounds or less.

30 4. Except as provided in section 28-2416, the department shall charge
31 the fee prescribed by section 28-2402 for each annual renewal of special
32 plates in addition to the registration fee prescribed by section 28-2003.

1 B. Except as provided in section 28-2416, on notification to the
2 department and on payment of the transfer fee prescribed by section 28-2402,
3 a person who is issued special plates may transfer the special plates to
4 another vehicle the person owns or leases. Persons who are issued special
5 plates for hearing impaired persons pursuant to section 28-2408 and
6 international symbol of access special plates pursuant to section 28-2409 are
7 exempt from the transfer fee. If a person who is issued special plates
8 sells, trades or otherwise releases ownership of the vehicle on which the
9 plates have been displayed, the person shall immediately report the transfer
10 of the plates to the department or the person shall surrender the plates to
11 the department as prescribed by the director. It is unlawful for a person to
12 whom the plates have been issued to knowingly permit them to be displayed on
13 a vehicle except the vehicle authorized by the department.

14 C. The special plates shall be affixed to the vehicle for which
15 registration is sought in lieu of the regular license plates.

16 D. A person is guilty of a class 3 misdemeanor who:

17 1. Violates subsection B of this section.

18 2. Fraudulently gives false or fictitious information in the
19 application for or renewal of special plates or placards issued pursuant to
20 this article.

21 3. Conceals a material fact or otherwise commits fraud in the
22 application for or renewal of special plates or placards issued pursuant to
23 this article."

24 Renumber to conform

25 Page 2, line 23, after "PLATES" insert "IF THE ORGANIZATION MAKES THE REQUEST AND
26 PAYS THE DEPARTMENT THE MONIES NECESSARY TO COVER THE DEPARTMENT'S COSTS TO
27 IMPLEMENT THE COMBINATION"

28 Line 26, after the period insert "AFTER RECEIVING A REQUEST FROM AN ORGANIZATION
29 TO ALLOW FOR A COMBINATION OF THE SPECIAL ORGANIZATION PLATE WITH
30 PERSONALIZED SPECIAL PLATES, THE DEPARTMENT SHALL PROVIDE TO THE JOINT
31 LEGISLATIVE BUDGET COMMITTEE A DETAILED WRITTEN STATEMENT OF THE
32 IMPLEMENTATION COSTS OF THE COMBINATION."

Page 2, between lines 38 and 39, insert:

"Sec. 4. Section 28-2405, Arizona Revised Statutes, is amended to read:

28-2405. License plate commission

A. A license plate commission is established. The commission is composed of the following members:

1. Two public members who are appointed by the director of the department of transportation.

2. A person who is appointed by the governor from the governor's office of highway safety and who serves at the pleasure of the governor.

3. The director of the department of public safety or the director's designee.

4. The director of the department of transportation or the director's designee.

5. The director of the office of tourism or the director's designee.

6. The director of the state department of corrections or the director's designee.

B. The director of the department of transportation or the director's designee shall serve as chairman of the commission. The chairman shall preside at commission meetings and coordinate the activities of the commission and staff implementation of commission actions.

C. All official actions of the commission shall be decided by a majority vote of commission members.

D. The commission shall determine the following:

1. The color and design of license plates.

2. The color of special plates to be the same as and the design of special plates to be similar to the license plates, except for special plates issued pursuant to sections 28-2412, 28-2413, 28-2414, 28-2416 through ~~28-2428~~ 28-2429, 28-2452, 28-2453, 28-2454 and 28-2455 and article 14 of this chapter.

3. Whether to authorize special organization plates pursuant to section 28-2404.

1 4. The indicia for special organization plates issued pursuant to
2 section 28-2404.

3 E. The department shall provide the commission with staff and
4 technical assistance as necessary to perform its functions.

5 F. Commission members are not eligible to receive compensation, but
6 the members who are appointed pursuant to subsection A, paragraphs 1 and 2 of
7 this section are eligible for reimbursement of expenses pursuant to title 38,
8 chapter 4, article 2."

9 Renumber to conform

10 Page 5, after line 15, insert:

11 "Sec. 6. Title 28, chapter 7, article 12, Arizona Revised Statutes, is
12 amended by adding section 28-2429, to read:

13 28-2429. In God we trust special plates

14 A. IF THE DEPARTMENT RECEIVES THIRTY-TWO THOUSAND DOLLARS THROUGH
15 DONATIONS FOR THE ISSUANCE OF THE IN GOD WE TRUST SPECIAL PLATE, THE
16 DEPARTMENT SHALL ISSUE THE IN GOD WE TRUST SPECIAL PLATES. THE DEPARTMENT
17 SHALL DESIGN THE IN GOD WE TRUST SPECIAL PLATES. THE DIRECTOR MAY ALLOW A
18 REQUEST FOR IN GOD WE TRUST SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
19 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE
20 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE
21 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
22 THE IN GOD WE TRUST SPECIAL PLATES.

23 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
24 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
25 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

26 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
27 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
28 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
29 SECTION IN THE ARIZONA HIGHWAY USER REVENUE FUND.

1 Sec. 7. Section 28-6501, Arizona Revised Statutes, is amended to read:

2 28-6501. Definition of highway user revenues

3 In this article, unless the context otherwise requires or except as
4 otherwise provided by statute, "highway user revenues" means all monies
5 received in this state from licenses, taxes, penalties, interest and fees
6 authorized by the following:

7 1. Chapters 2, 7, 8 and 15 of this title, except for:

8 (a) The special plate administration fees prescribed in sections
9 28-2404, 28-2412 through ~~28-2428~~ 28-2429 and 28-2514.

10 (b) The donations prescribed in sections 28-2404, 28-2412 through
11 28-2415, 28-2417 through 28-2428, 28-2453, 28-2454 and 28-2455.

12 2. Chapters 10 and 11 of this title.

13 3. Chapter 16, articles 1, 2 and 4 of this title, except as provided
14 in sections 28-5926 and 28-5927.

15 Sec. 8. Section 28-6991, Arizona Revised Statutes, is amended to read:

16 28-6991. State highway fund: sources

17 A state highway fund is established that consists of:

18 1. Monies distributed from the Arizona highway user revenue fund
19 pursuant to chapter 18 of this title.

20 2. Monies appropriated by the legislature.

21 3. Monies received from donations for the construction, improvement or
22 maintenance of state highways or bridges. These monies shall be credited to
23 a special account and shall be spent only for the purpose indicated by the
24 donor.

25 4. Monies received from counties under cooperative agreements,
26 including proceeds from bond issues. The state treasurer shall deposit these
27 monies to the credit of the fund in a special account on delivery to the
28 treasurer of a concise written agreement between the department and the
29 county stating the purposes for which the monies are surrendered by the
30 county, and these monies shall be spent only as stated in the agreement.

31 5. Monies received from the United States under an act of Congress to
32 provide aid for the construction of rural post roads, but monies received on

1 projects for which the monies necessary to be provided by this state are
2 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
3 shall be allotted by the department and deposited by the state treasurer in
4 the special account within the fund established for each project. On
5 completion of the project, on the satisfaction and discharge in full of all
6 obligations of any kind created and on request of the department, the
7 treasurer shall transfer the unexpended balance in the special account for
8 the project into the state highway fund, and the unexpended balance and any
9 further federal aid thereafter received on account of the project may be
10 spent under the general provisions of this title.

11 6. Monies in the custody of an officer or agent of this state from any
12 source that is to be used for the construction, improvement or maintenance of
13 state highways or bridges.

14 7. Monies deposited in the state general fund and arising from the
15 disposal of state personal property belonging to the department.

16 8. Receipts from the sale or disposal of any or all other property
17 held by the department and purchased with state highway monies.

18 9. Monies generated pursuant to section 28-410.

19 10. Monies distributed pursuant to section 28-5808, subsection B,
20 paragraph 2, subdivision (d).

21 11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.

22 12. Except as provided in section 28-5101, the following monies:

23 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
24 subsection B, paragraph 2, subdivision (e).

25 (b) One dollar of each registration fee and one dollar of each title
26 fee collected pursuant to section 28-2003.

27 (c) Two dollars of each late registration penalty collected by the
28 director pursuant to section 28-2162.

29 (d) The air quality compliance fee collected pursuant to section
30 49-542.

31 (e) The special plate administration fees collected pursuant to
32 sections 28-2404, 28-2412 through ~~28-2428~~ 28-2429 and 28-2514.

1 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156
2 if the director is the registering officer.

3 13. Monies deposited pursuant to chapter 5, article 5 of this title.

4 14. Donations received pursuant to section 28-2269.

5 15. Dealer and registration monies collected pursuant to section
6 28-4304.

7 16. Abandoned vehicle administration monies deposited pursuant to
8 section 28-4804.

9 17. Monies deposited pursuant to section 28-710, subsection D,
10 paragraph 2.

11 Sec. 9. Section 28-6993, Arizona Revised Statutes, is amended to read:

12 28-6993. State highway fund; authorized uses

13 A. Except as provided in subsection B of this section and section
14 28-6538, the state highway fund shall be used for any of the following
15 purposes in strict conformity with and subject to the budget as provided by
16 this section and by sections 28-6997 through 28-7003:

17 1. To pay salaries, wages, necessary travel expenses and other
18 expenses of officers and employees of the department and the incidental
19 office expenses, including telegraph, telephone, postal and express charges
20 and printing, stationery and advertising expenses.

21 2. To pay for both:

22 (a) Equipment, supplies, machines, tools, department offices and
23 laboratories established by the department.

24 (b) The construction and repair of buildings or yards of the
25 department.

26 3. To pay the cost of both:

27 (a) Engineering, construction, improvement and maintenance of state
28 highways and parts of highways forming state routes.

29 (b) Highways under cooperative agreements with the United States that
30 are entered into pursuant to this chapter and an act of Congress providing
31 for the construction of rural post roads.

1 4. To pay land damages incurred by reason of establishing, opening,
2 altering, relocating, widening or abandoning portions of a state route or
3 state highway.

4 5. To reimburse the department revolving account.

5 6. To pay premiums on authorized indemnity bonds and on compensation
6 insurance under the workers' compensation act.

7 7. To defray lawful expenses and costs required to administer and
8 carry out the intent, purposes and provisions of this title, including
9 repayment of obligations entered into pursuant to this title, payment of
10 interest on obligations entered into pursuant to this title, repayment of
11 loans and other financial assistance, including repayment of advances and
12 interest on advances made to the department pursuant to section 28-7677, and
13 payment of all other obligations and expenses of the board and department
14 pursuant to chapter 21 of this title.

15 8. To pay lawful bills and charges incurred by the state engineer.

16 9. To acquire, construct or improve entry roads to state parks or
17 roads within state parks.

18 10. To acquire, construct or improve entry roads to state prisons.

19 11. To pay the cost of relocating a utility facility pursuant to
20 section 28-7156.

21 12. For the purposes provided in subsections C, D and E of this section
22 and sections 28-1143, 28-2353 and 28-3003.

23 B. For each fiscal year, the department of transportation shall
24 allocate and transfer monies in the state highway fund to the department of
25 public safety for funding a portion of highway patrol costs in eight
26 installments in each of the first eight months of a fiscal year that do not
27 exceed ten million dollars.

28 C. Subject to legislative appropriation, the department may use the
29 monies in the state highway fund as prescribed in section 28-6991, paragraph
30 12 to carry out the duties imposed by this title for registration or titling
31 of vehicles, to operate joint title, registration and driver licensing
32 offices, to cover the administrative costs of issuing the air quality

1 compliance sticker, modifying the year validating tab and issuing the
2 windshield sticker and to cover expenses and costs in issuing special plates
3 pursuant to sections 28-2404, 28-2412 through ~~28-2428~~ 28-2429 and 28-2514.

4 D. The department shall use monies deposited in the state highway fund
5 pursuant to chapter 5, article 5 of this title only as prescribed by that
6 article.

7 E. Monies deposited in the state highway fund pursuant to section
8 28-2269 shall be used only as prescribed by that section.

9 F. Monies deposited in the state highway fund pursuant to section
10 28-710, subsection D, paragraph 2 shall only be used for state highway work
11 zone traffic control devices.

12 G. The department may exchange monies distributed to the state highway
13 fund pursuant to section 28-6538, subsection A, paragraph 1 for local
14 government surface transportation program federal monies suballocated to
15 councils of government and metropolitan planning organizations if the local
16 government scheduled to receive the federal monies concurs. An exchange of
17 state highway fund monies pursuant to this subsection shall be in an amount
18 that is at least equal to ninety per cent of the federal obligation authority
19 that exists in the project for which the exchange is proposed."

20 Amend title to conform

RON GOULD

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